

REMARKS

Claims 2, 8, 10, 11, 13-18, and 20 are pending in this application, and claims 15, 17, and 20 are withdrawn. By this Amendment, claims 2 and 14 are amended and claim 12 is canceled. Reconsideration of the application is respectfully requested.

In the Office Action, the Examiner rejects claims 2, 8, 10, 12-14, 16, and 18 under 35 U.S.C. § 112, first paragraph. The rejection is respectfully traversed.

First, with regard to claim 12, this claim is canceled, and thus the rejection of claim 12 is moot.

Second, with respect to the rejection of the claims under 35 U.S.C. § 112, first paragraph, and, more specifically, with respect to the percentages of phosphoric acid compounds and organophosphoric compounds, support can be found in the table in Figure 1, for example, which clearly shows that the phosphoric acid compound (orthophosphoric acid in the table) ranges from 0 to 0.2%. With respect to the organophosphoric acid compound, support can be found in the specification at page 7, lines 15-17, for example, wherein it is clearly stated that the percentage of phosphonoic acid ranges from 0.001 to 0.01%. In addition, in the table in Figure 1, phosphonoic acid ranges from 0 to 0.005%. Accordingly, there is support in the specification for the percentage ranges of the phosphoric acid compound and the organophosphoric acid compound.

Applicants note that the Examiner seems to imply that phosphonoic acid is not an organophosphoric acid compound (Office Action, page 4, lines 5-7). However, Applicants submit that phosphonoic acid is in fact an organophosphoric acid compound. For the Examiner's information, attached is a copy of a Japanese material entitled "Organic Phosphonic Acid" and an English-language translation thereof. The article explains how phosphoric acid differs from organophosphoric acid.

In the Office Action, the Examiner states that the conductivity limitation "broadens the claims beyond what is reasonably enabled by the specification" (Office Action, page 3, lines 6-7). Applicants respectfully disagree. The conductivity limitation is simply a property of the claimed coolant. Accordingly, the conductivity of the claimed coolant has no bearing on the enablement or scope of the claim. However, solely in an effort to further prosecution and without acquiescing in the propriety of the rejection, Applicants have amended claim 2 to recite the conductivity property.

In the Office Action, the Examiner states that the term "deoxidization" is unclear. Solely in an effort to further prosecution and without acquiescing in the propriety of the rejection, Applicants have amended claim 14 to further define "deoxidation" (correct term, as amended in the specification in the Amendment filed December 2, 2003). The result of the deoxidation, i.e., reduction, is a reduction in the amount of oxygen in the coolant. There is no chemically different coolant that appears as a result of the reduction.

For at least these reasons, the claims fulfill the requirements of 35 U.S.C. § 112, first paragraph. Thus, withdrawal of the rejection under 35 U.S.C. § 112, first paragraph, is respectfully requested.

In the Office Action, the Examiner rejects claims 2, 8, 10, 12-14, 16, and 18 under 35 U.S.C. § 112, second paragraph. The rejection is respectfully traversed.

First, with regard to claim 12, this claim is canceled, and thus the rejection of claim 12 is moot.

Second, the Examiner states that the distinction between a phosphoric acid compound and an organophosphoric acid compound is unclear, and thus the claims are indefinite. Solely in an effort to further prosecution and without acquiescing in the propriety of the rejection, Applicants have amended claim 2 to clarify that the claimed "phosphoric acid compound" is

not an organophosphoric compound. Thus, there is no double inclusion in the language of independent claim 2.

Furthermore, although the Examiner indicates that the percentage limitations of the phosphoric acid compound and organophosphoric acid compound are repeated, a closer examination of the language of independent claim 2 reveals that the first alternative in the acidic additive contains: (1) a phosphoric acid compound that is not an organophosphoric acid compound at equal to or more than 0% but less than 0.2%; and (2) an organophosphoric acid compound at more than 0% but less than 0.01%. The second alternative in the acidic additive contains: (1) a phosphoric acid compound that is not an organophosphoric acid compound at more than 0% but less than 0.2%; and (2) an organophosphoric acid compound at equal to or more than 0% but less than 0.01%. In other words, the two alternatives are different in that the phosphoric acid compound that is not an organophosphoric acid compound and the organophosphoric acid compound cannot be at 0% at the same time. Thus, the percentages are not repeated.

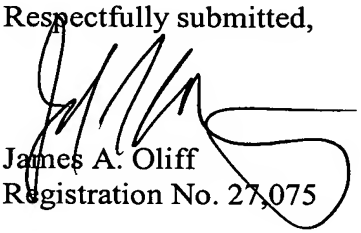
For at least these reasons, the claims fulfill the requirements of 35 U.S.C. § 112, second paragraph. Accordingly, withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, is respectfully requested.

Finally, with respect to the prior art cited in previous Office Actions, and as discussed during the April 18, 2006, personal interview with Examiner Hardee, neither JP 62-045681, SU 899,635, nor WO 98/40441, alone or in combination, disclose or suggest a coolant for fuel cells as claimed in independent claim 2. Accordingly, independent claim 2, and its dependent claims, are patentable over these references.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 2, 8, 10, 13, 14, 16, and 18 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:JSA/smo

Enclosure:

"Organic Phosphonic Acid" w/ English-language translation

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